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18 *Attorneys for Defendants*

19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**

21 SAKURA COLOR PRODUCTS OF
22 AMERICA, INC. d/b/a SAKURA OF
23 AMERICA, a California corporation, and
24 SAKURA COLOR PRODUCTS
25 CORPORATION, a Japanese corporation,

26 Plaintiffs,

27 v.

28 SUPPLIES PLS LLC, a New York limited
liability company, LEIB LEFKOWITZ, a
natural person, and JOHN DOES 1-10,

Defendants.

Case No: 4:23-cv-02643-JSW

ANSWER TO COMPLAINT

Honorable Jeffrey S. White

1 Defendants SUPPLIES PLS LLC (“Supplies PLS”) and Leib Lefkowitz
2 (“Leib” and collectively with Supplies PLS, the “Defendants”), hereby answer the
3 Complaint (“Complaint”) of Plaintiffs SAKURA COLOR PRODUCTS OF
4 AMERICA, INC. d/b/a SAKURA OF AMERICA (“Sakura America”), a California
5 corporation and SAKURA COLOR PRODUCTS CORPORATION, a Japanese
6 corporation (“Sakura Japan”) (collectively, “Plaintiffs”) as set forth below. In
7 response to all paragraphs of the Complaint, Defendants deny each and every
8 allegation except as expressly admitted herein. Defendants respond specifically to
9 Plaintiffs’ averments as follows:

10 **PARTIES**

11 1. Defendants lack information or belief sufficient to answer the allegations
12 of paragraph “1” of the Complaint in that they presently lack sufficient knowledge or
13 information as to Plaintiff’s status as a corporate entity, and on that basis, deny them.

14 2. Defendants lack information or belief sufficient to answer the allegations
15 of paragraph “2” of the Complaint in that they presently lack sufficient knowledge or
16 information as to Plaintiff’s status as a corporate entity, and on that basis, deny them.

17 3. Defendants admit that it is a limited liability company organized under
18 the laws of New York. Defendants also admit that Supplies Pls owns and operates
19 the “Supplies Plus” storefront on www.amazon.com (“Amazon”). Defendants deny
20 the remaining allegations of paragraph “3” of the Complaint.

21 4. Defendants admit that Defendant Leib is a natural person residing in New
22 York. Defendants deny that Leib Lefkowitz operates or assists in the operation of the
23 “Supplies Plus” Amazon Storefront or does business throughout the United States
24 through the Amazon Storefront. Defendants deny the remaining allegations of
25 paragraph “4” of the Complaint in that he presently lacks sufficient knowledge or
26 information upon which to form a belief as to the truth thereof.

1 5. Defendants admit that the business name is SUPPLIES PLS LLC.
2 Defendants deny the remaining allegations of paragraph “5” of the Complaint because
3 they lack information or belief sufficient to answer the allegations thereof.

4 6. Defendants deny the allegations of paragraph “6” of the Complaint
5 because they lack information or belief sufficient to answer the allegations thereof.

6 7. Defendants deny the allegations of paragraph “7” of the Complaint
7 because they lack information or belief sufficient to answer the allegations thereof.

8 8. Defendants deny the allegations of paragraph “8” of the Complaint
9 because they lack information or belief sufficient to answer the allegations thereof.

10 9. Defendants deny the allegations of paragraph “9” of the Complaint
11 because they lack information or belief sufficient to answer the allegations thereof.

12 10. Defendants deny the allegations of paragraph “10” of the Complaint
13 because they lack information or belief sufficient to answer the allegations thereof.

14 11. Defendants deny the allegations of paragraph “11” of the Complaint
15 because they lack information or belief sufficient to answer the allegations thereof.

16 12. Defendants deny the allegations of paragraph “12” of the Complaint
17 because they lack information or belief sufficient to answer the allegations thereof.

18 **JURISDICTION AND VENUE**

19 13. Defendants admit that the Court has subject matter jurisdiction over this
20 action.

21 14. Defendants deny that this Court has personal jurisdiction over the
22 Defendants because the Complaint admits that the Defendants reside in New York.
23 Defendants deny the remaining allegations of paragraph “14” of the Complaint.

24 **VENUE**

25 15. Defendants deny the allegations of paragraph “15” of the Complaint.
26
27
28

FACTUAL ALLEGATIONS

Plaintiffs and Their Trademarks

16. Defendants deny the allegations of paragraph “16” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

17. Defendants deny the allegations of paragraph “17” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

18. Defendants deny the allegations of paragraph “18” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

19. Defendants deny the allegations of paragraph “19” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

20. Defendants deny the allegations of paragraph “20” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

21. Defendants deny the allegations of paragraph “21” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

22. Defendants deny the allegations of paragraph “22” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

23. Defendants deny the allegations of paragraph “23” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

24. Defendants deny the allegations of paragraph “24” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

25. Defendants deny the allegations of paragraph “25” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

26. Defendants deny the allegations of paragraph “26” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

27. Defendants deny the allegations of paragraph “27” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

28. Defendants deny the allegations of paragraph “28” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

1 29. Defendants deny the allegations of paragraph “29” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 30. Defendants deny the allegations of paragraph “30” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 31. Defendants deny the allegations of paragraph “31” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 32. Defendants deny the allegations of paragraph “32” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 33. Defendants deny the allegations of paragraph “33” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 34. Defendants deny the allegations of paragraph “34” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 35. Defendants deny the allegations of paragraph “35” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 36. Defendants deny the allegations of paragraph “36” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 37. Defendants deny the allegations of paragraph “37” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 38. Defendants deny the allegations of paragraph “38” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 39. Defendants deny the allegations of paragraph “39” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 40. Defendants deny the allegations of paragraph “40” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 41. Defendants deny the allegations of paragraph “41” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 42. Defendants deny the allegations of paragraph “42” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 43. Defendants deny the allegations of paragraph “43” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 44. Defendants admit that paragraph “44” of the Complaint includes a
4 screenshot of a product that Defendants listed. Defendants deny the remaining
5 allegations of this paragraph.

6 45. Defendants deny the allegations of paragraph “45” of the Complaint
7 because they lack information or belief sufficient to answer the allegations thereof.

8 46. Defendants admit that paragraph “46” of the Complaint includes a
9 screenshot of a product that Defendants listed. Defendants deny the remaining
10 allegations of this paragraph.

11 47. Defendants deny the allegations of paragraph “47” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 48. Defendants admit that paragraph “48” of the Complaint includes a
14 screenshot of a product that Defendants listed. Defendants deny the remaining
15 allegations of this paragraph.

16 49. Defendants deny the allegations of paragraph “49” of the Complaint
17 because they lack information or belief sufficient to answer the allegations thereof.

18 50. Defendants admit that paragraph “50” of the Complaint includes a
19 screenshot of a product that Defendants listed. Defendants deny the remaining
20 allegations of this paragraph.

21 51. Defendants deny the allegations of paragraph “51” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 52. Defendants admit that paragraph “52” of the Complaint includes a
24 screenshot of a product that Defendants listed. Defendants deny the remaining
25 allegations of this paragraph.

26 53. Defendants deny the allegations of paragraph “53” of the Complaint
27 because they lack information or belief sufficient to answer the allegations thereof.
28

1 54. Defendants deny the allegations of paragraph “54” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 55. Defendants deny the allegations of paragraph “55” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 56. Defendants deny the allegations of paragraph “56” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 57. Defendants deny the allegations of paragraph “57” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 58. Defendants deny the allegations of paragraph “58” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 59. Defendants deny the allegations of paragraph “59” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 60. Defendants deny the allegations of paragraph “60” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 61. Defendants deny the allegations of paragraph “61” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 62. Defendants deny the allegations of paragraph “62” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 63. Defendants deny the allegations of paragraph “63” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 64. Defendants deny the allegations of paragraph “64” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 65. Defendants deny the allegations of paragraph “65” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 66. Defendants deny the allegations of paragraph “66” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 67. Defendants deny the allegations of paragraph “67” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 68. Defendants deny the allegations of paragraph “68” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 69. Defendants deny the allegations of paragraph “69” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 70. Defendants deny the allegations of paragraph “70” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 71. Defendants deny the allegations of paragraph “71” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 72. Defendants deny the allegations of paragraph “72” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 73. Defendants deny the allegations of paragraph “73” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 74. Defendants deny the allegations of paragraph “74” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 75. Defendants deny the allegations of paragraph “75” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 76. Defendants deny the allegations of paragraph “76” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 77. Defendants deny the allegations of paragraph “77” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 78. Defendants deny the allegations of paragraph “78” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 79. Defendants deny the allegations of paragraph “79” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 80. Defendants deny the allegations of paragraph “80” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 81. Defendants deny the allegations of paragraph “81” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 82. Defendants deny the allegations of paragraph “82” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 83. Defendants deny the allegations of paragraph “83” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 84. Defendants deny the allegations of paragraph “84” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 85. Defendants deny the allegations of paragraph “85” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 86. Defendants deny the allegations of paragraph “86” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 87. Defendants deny the allegations of paragraph “87” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 88. Defendants deny the allegations of paragraph “88” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 89. Defendants deny the allegations of paragraph “89” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 90. Defendants deny the allegations of paragraph “90” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 91. Defendants deny the allegations of paragraph “91” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 92. Defendants deny the allegations of paragraph “92” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 93. Defendants deny the allegations of paragraph “93” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 94. Defendants deny the allegations of paragraph “94” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 95. Defendants deny the allegations of paragraph “95” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 96. Defendants deny the allegations of paragraph “96” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 97. Defendants deny the allegations of paragraph “97” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 98. Defendants deny the allegations of paragraph “98” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 99. Defendants deny the allegations of paragraph “99” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 100. Defendants deny the allegations of paragraph “100” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 101. Defendants deny the allegations of paragraph “101” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 102. Defendants deny the allegations of paragraph “102” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 103. Defendants deny the allegations of paragraph “103” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 104. Defendants deny the allegations of paragraph “104” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 105. Defendants deny the allegations of paragraph “105” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 106. Defendants deny the allegations of paragraph “106” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 107. Defendants deny the allegations of paragraph “107” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 108. Defendants deny the allegations of paragraph “108” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 109. Defendants deny the allegations of paragraph “109” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 110. Defendants deny the allegations of paragraph “110” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 111. Defendants deny the allegations of paragraph “111” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 112. Defendants deny the allegations of paragraph “112” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 113. Defendants deny the allegations of paragraph “113” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 114. Defendants deny the allegations of paragraph “114” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 115. Defendants deny the allegations of paragraph “115” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 116. Defendants deny the allegations of paragraph “116” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 117. Defendants deny the allegations of paragraph “117” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 118. Defendants deny the allegations of paragraph “118” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 119. Defendants deny the allegations of paragraph “119” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 120. Defendants deny the allegations of paragraph “120” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 121. Defendants deny the allegations of paragraph “121” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 122. Defendants deny the allegations of paragraph “122” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 123. Defendants deny the allegations of paragraph “123” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 124. Defendants deny the allegations of paragraph “124” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 125. Defendants deny the allegations of paragraph “125” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 126. Defendants deny the allegations of paragraph “126” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 127. Defendants deny the allegations of paragraph “127” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 128. Defendants deny the allegations of paragraph “128” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 129. Defendants deny the allegations of paragraph “129” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 130. Defendants deny the allegations of paragraph “130” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 131. Defendants deny the allegations of paragraph “131” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 132. Defendants deny the allegations of paragraph “132” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 133. Defendants deny the allegations of paragraph “133” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 134. Defendants deny the allegations of paragraph “134” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 135. Defendants deny the allegations of paragraph “135” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 136. Defendants deny the allegations of paragraph “136” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 137. Defendants deny the allegations of paragraph “137” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 138. Defendants deny the allegations of paragraph “138” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 139. Defendants deny the allegations of paragraph “139” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 140. Defendants deny the allegations of paragraph “140” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 141. Defendants deny the allegations of paragraph “141” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 142. Defendants deny the allegations of paragraph “142” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 143. Defendants deny the allegations of paragraph “143” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 144. Defendants deny the allegations of paragraph “144” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 145. Defendants deny the allegations of paragraph “145” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 146. Defendants deny the allegations of paragraph “146” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 147. Defendants deny the allegations of paragraph “147” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 148. Defendants deny the allegations of paragraph “148” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 149. Defendants deny the allegations of paragraph “149” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 150. Defendants deny the allegations of paragraph “150” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 151. Defendants deny the allegations of paragraph “151” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 152. Defendants deny the allegations of paragraph “152” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 153. Defendants deny the allegations of paragraph “153” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 154. Defendants deny the allegations of paragraph “154” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 155. Defendants deny the allegations of paragraph “155” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 156. Defendants deny the allegations of paragraph “156” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 157. Defendants deny the allegations of paragraph “157” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 158. Defendants deny the allegations of paragraph “158” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 159. Defendants deny the allegations of paragraph “159” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 160. Defendants deny the allegations of paragraph “160” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 161. Defendants deny the allegations of paragraph “161” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 162. Defendants deny the allegations of paragraph “162” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 163. Defendants deny the allegations of paragraph “163” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 164. Defendants deny the allegations of paragraph “164” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 165. Defendants deny the allegations of paragraph “165” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 166. Defendants deny the allegations of paragraph “166” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 167. Defendants deny the allegations of paragraph “167” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 168. Defendants deny the allegations of paragraph “168” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 169. Defendants deny the allegations of paragraph “169” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 170. Defendants deny the allegations of paragraph “170” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 171. Defendants deny the allegations of paragraph “171” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 172. Defendants deny the allegations of paragraph “172” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 173. Defendants deny the allegations of paragraph “173” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 174. Defendants deny the allegations of paragraph “174” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 175. Defendants deny the allegations of paragraph “175” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 **FIRST CAUSE OF ACTION**

22 **Trademark Infringement**

23 **15 U.S.C. §§ 1114 and 1125(a)(1)(A)**

24 176. Defendants repeat and reiterate each and every one of the foregoing
25 answers in response to the allegations made in paragraph “176” of the Complaint
26 herein with the same force and effect as though set forth at length.

27 177. Defendants deny the allegations of paragraph “177” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

1 178. Defendants deny the allegations of paragraph “178” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 179. Defendants deny the allegations of paragraph “179” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 180. Defendants deny the allegations of paragraph “180” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 181. Defendants deny the allegations of paragraph “181” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 182. Defendants deny the allegations of paragraph “182” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 183. Defendants deny the allegations of paragraph “183” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 184. Defendants deny the allegations of paragraph “184” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 185. Defendants deny the allegations of paragraph “185” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 186. Defendants deny the allegations of paragraph “186” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 187. Defendants deny the allegations of paragraph “187” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 188. Defendants deny the allegations of paragraph “188” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 189. Defendants deny the allegations of paragraph “189” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

25 190. Defendants deny the allegations of paragraph “190” of the Complaint
26 because they lack information or belief sufficient to answer the allegations thereof.

27 191. Defendants deny the allegations of paragraph “191” of the Complaint
28 because they lack information or belief sufficient to answer the allegations thereof.

SECOND CAUSE OF ACTION

Unfair Competition

15 U.S.C. § 1125(a)(1)(A)

192. Defendants repeat and reiterate each and every one of the foregoing answers in response to the allegations made in paragraph “192” of the Complaint herein with the same force and effect as though set forth at length.

193. Defendants deny the allegations of paragraph “193” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

194. Defendants deny the allegations of paragraph “194” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

195. Defendants deny the allegations of paragraph “195” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

196. Defendants deny the allegations of paragraph “196” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

197. Defendants deny the allegations of paragraph “197” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

198. Defendants deny the allegations of paragraph “198” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

199. Defendants deny the allegations of paragraph “199” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

200. Defendants deny the allegations of paragraph “200” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

201. Defendants deny the allegations of paragraph “201” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

202. Defendants deny the allegations of paragraph “202” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

THIRD CAUSE OF ACTION

False Advertising

15 U.S.C. §§ 1114 and 1125(a)(1)(B)

203. Defendants deny the allegations of paragraph “203” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

204. Defendants deny the allegations of paragraph “204” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

205. Defendants deny the allegations of paragraph “205” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

206. Defendants deny the allegations of paragraph “206” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

207. Defendants deny the allegations of paragraph “207” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

208. Defendants deny the allegations of paragraph “208” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

209. Defendants deny the allegations of paragraph “209” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

210. Defendants deny the allegations of paragraph “210” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

211. Defendants deny the allegations of paragraph “211” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

212. Defendants deny the allegations of paragraph “212” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

213. Defendants deny the allegations of paragraph “213” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

214. Defendants deny the allegations of paragraph “214” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

1 215. Defendants deny the allegations of paragraph “215” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 216. Defendants deny the allegations of paragraph “216” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 217. Defendants deny the allegations of paragraph “217” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 218. Defendants deny the allegations of paragraph “218” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 219. Defendants deny the allegations of paragraph “219” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 220. Defendants deny the allegations of paragraph “220” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 221. Defendants deny the allegations of paragraph “221” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 222. Defendants deny the allegations of paragraph “222” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 223. Defendants deny the allegations of paragraph “223” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 224. Defendants deny the allegations of paragraph “224” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 225. Defendants deny the allegations of paragraph “225” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 **FOURTH CAUSE OF ACTION**

24 **Violation of Cal. Bus. & Prof. Code § 17200, et seq.**

25 226. Defendants repeat and reiterate each and every one of the foregoing
26 answers in response to the allegations made in paragraph “226” of the Complaint
27 herein with the same force and effect as though set forth at length.
28

1 227. Defendants deny the allegations of paragraph “227” of the Complaint
2 because they lack information or belief sufficient to answer the allegations thereof.

3 228. Defendants deny the allegations of paragraph “228” of the Complaint
4 because they lack information or belief sufficient to answer the allegations thereof.

5 229. Defendants deny the allegations of paragraph “229” of the Complaint
6 because they lack information or belief sufficient to answer the allegations thereof.

7 230. Defendants deny the allegations of paragraph “230” of the Complaint
8 because they lack information or belief sufficient to answer the allegations thereof.

9 231. Defendants deny the allegations of paragraph “231” of the Complaint
10 because they lack information or belief sufficient to answer the allegations thereof.

11 232. Defendants deny the allegations of paragraph “232” of the Complaint
12 because they lack information or belief sufficient to answer the allegations thereof.

13 233. Defendants deny the allegations of paragraph “233” of the Complaint
14 because they lack information or belief sufficient to answer the allegations thereof.

15 234. Defendants deny the allegations of paragraph “234” of the Complaint
16 because they lack information or belief sufficient to answer the allegations thereof.

17 235. Defendants deny the allegations of paragraph “235” of the Complaint
18 because they lack information or belief sufficient to answer the allegations thereof.

19 236. Defendants deny the allegations of paragraph “236” of the Complaint
20 because they lack information or belief sufficient to answer the allegations thereof.

21 237. Defendants deny the allegations of paragraph “237” of the Complaint
22 because they lack information or belief sufficient to answer the allegations thereof.

23 238. Defendants deny the allegations of paragraph “238” of the Complaint
24 because they lack information or belief sufficient to answer the allegations thereof.

FIFTH CAUSE OF ACTION

Common Law Unfair Competition

239. Defendants repeat and reiterate each and every one of the foregoing answers in response to the allegations made in paragraph “239” of the Complaint herein with the same force and effect as though set forth at length.

240. Defendants deny the allegations of paragraph “240” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

241. Defendants deny the allegations of paragraph “241” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

242. Defendants deny the allegations of paragraph “242” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

243. Defendants deny the allegations of paragraph “243” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

244. Defendants deny the allegations of paragraph “244” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

245. Defendants deny the allegations of paragraph “245” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

246. Defendants deny the allegations of paragraph “246” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

247. Defendants deny the allegations of paragraph “247” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

248. Defendants deny the allegations of paragraph “248” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

SIXTH CAUSE OF ACTION

Intentional Interference with Contractual Relations

249. Defendants repeat and reiterate each and every one of the foregoing answers in response to the allegations made in paragraph “249” of the Complaint herein with the same force and effect as though set forth at length.

250. Defendants deny the allegations of paragraph “250” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

251. Defendants deny the allegations of paragraph “251” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

252. Defendants deny the allegations of paragraph “252” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

253. Defendants deny the allegations of paragraph “253” of the Complaint.

254. Defendants deny the allegations of paragraph “254” of the Complaint.

255. Defendants deny the allegations of paragraph “255” of the Complaint.

256. Defendants deny the allegations of paragraph “256” of the Complaint.

257. Defendants deny the allegations of paragraph “257” of the Complaint.

258. Defendants deny the allegations of paragraph “258” of the Complaint.

259. Defendants deny the allegations of paragraph “259” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

260. Defendants deny the allegations of paragraph “260” of the Complaint.

261. Defendants deny the allegations of paragraph “261” of the Complaint because they lack information or belief sufficient to answer the allegations thereof.

262. Defendants deny the allegations of paragraph “262” of the Complaint.

263. Defendants deny the allegations of paragraph “263” of the Complaint.

264. Defendants deny the allegations of paragraph “264” of the Complaint.

PRAYER FOR RELIEF

Defendants deny that Plaintiffs are entitled to the relief requested. To the extent that any statement in the prayer for relief is deemed factual, it is denied.

AFFIRMATIVE DEFENSES

Defendants incorporate by reference the foregoing paragraphs in their entirety and assert the following affirmative defenses to the claims set forth in the Complaint. Defendants reserve the right to allege additional Affirmative Defenses as they become known, and accordingly to amend this Answer.

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Claim)

The Complaint fails to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

(First Sale Doctrine)

Plaintiffs' claims are barred by the exhaustion doctrine/first sale doctrine.

THIRD AFFIRMATIVE DEFENSE

(Consent/Acquiescence)

Plaintiffs' actions are barred, in whole or in part, under the doctrine of acquiescence.

FOURTH AFFIRMATIVE DEFENSE

(Estoppel)

Plaintiffs' actions are barred, in whole or in part, under the doctrine of estoppel.

FIFTH AFFIRMATIVE DEFENSE

(Statute of Limitation)

Plaintiffs' actions are barred, in whole or in part, by the applicable statutes of limitation.

SIXTH AFFIRMATIVE DEFENSE

(Waiver)

Plaintiffs' actions are barred, in whole or in part, under the doctrine of waiver.

SEVENTH AFFIRMATIVE DEFENSE

(Unclean Hands)

Plaintiffs' actions are barred, in whole or in part, under the doctrine of unclean hands.

EIGHTH AFFIRMATIVE DEFENSE**(Contribution)**

Any damage alleged by Plaintiffs was the result of their own conduct, for which the Defendants bear no legal responsibility.

NINTH AFFIRMATIVE DEFENSE**(Bad Faith)**

Plaintiffs' claims are estopped, as they are wholly insubstantial and frivolous, and brought in bad faith as an anti-competition device against Defendants.

TENTH AFFIRMATIVE DEFENSE**(Authorization)**

Plaintiffs' claims are barred because the products at-issue originated from, were manufactured for, or were otherwise made with the authorization of Plaintiffs.

ELEVENTH AFFIRMATIVE DEFENSE**(Disclosure)**

Plaintiffs' claims against Defendants are precluded due to the presence of disclaimers which provide information to consumers, resolving any issue of consumer confusion as to what is being sold.

TWELFTH AFFIRMATIVE DEFENSE**(No Infringement)**

Plaintiffs' claims are barred, in whole or in part, because the products at-issue are not materially different than the products sold by Plaintiffs and their alleged "Authorized Sellers," "Authorized Online Sellers," "Authorized Resellers," and/or "Authorized Distributors."

THIRTEENTH AFFIRMATIVE DEFENSE**(Lack of Personal Jurisdiction)**

Plaintiffs' actions are barred because the Court lacks personal jurisdiction over Defendants.

RELIEF REQUESTED

WHEREFORE, Defendants deny the Plaintiffs are entitled to any relief and specifically to the relief requested and Defendants request relief as follows:

1. That Plaintiff's Complaint be dismissed with prejudice in its entirety;
2. That judgment be entered in favor of Defendants and that Defendants be awarded costs to the extent provided by law, and attorney's fees; and
3. Any such further or other relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Defendants demand a trial by jury of all issues so triable.

Dated: September 1, 2023

TARTER KRINSKY & DROGIN LLP

By: /s/ Tyler R. Dowdall

Tyler R. Dowdall (Bar No. 258950)

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2023, I electronically filed the above document(s) with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to all registered counsel.

Dated: September 1, 2023

By: /s/ Tyler R. Dowdall
Tyler R. Dowdall